

01
02
03
04
05
06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 RALPH HOWARD BLAKELY,) CASE NO. C07-1803-RAJ-MAT
09 Plaintiff,)
10 v.) SECOND ORDER RE:
11 HERB SNIVELY, et al.,) ADDITIONAL BRIEFING
12 Defendants.)
13 _____)

14 Plaintiff raised an issue in his Motion to Admit Supplemental Declarations (Dkt. 34) that
15 necessitates additional briefing. He notes that Dr. John Kenney, who submitted a declaration on
16 behalf of defendants, did not address the issue of “Glucosamine Chondroitin.” He also submitted
17 documents with his reply reflecting that at least one physician has recommended he receive the
18 treatment at issue. (Dkt. 33.) Defendants contend that a response was not necessary given that
19 plaintiff did not mention this issue in his motion for a preliminary injunction. However, while not
20 addressed in the actual motion, plaintiff mentioned this issue in an affidavit, declaration, and
21 proposed order associated with the motion. (See Dkt. 21.) Accordingly, to allow for full
22 consideration of plaintiff’s claims, the Court hereby ORDERS defendants to submit an additional

01 response and declaration on this issue on or before **March 24, 2008**. Plaintiff's pending motions
02 (Dkts. 24 & 34) are RENOTED for consideration on **March 28, 2008** and plaintiff may submit
03 an additional reply as of that same date.

04 DATED this 10th day of March, 2008.

05 
06 Mary Alice Theiler
07 United States Magistrate Judge
08
09
10
11
12
13
14
15
16
17
18
19
20
21
22